

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 1-H-16-UR

AGENDA ITEM #: 43

AGENDA DATE: 1/14/2016

▶ **APPLICANT:** GIFFIN SENIOR COMMUNITY PARTNERS LLC DAVID COCKRILL

OWNER(S): Giffin Senior Community Partners LLC

TAX ID NUMBER: 109 C D 032

[View map on KGIS](#)

JURISDICTION: City Commission District 1

STREET ADDRESS: 1834 Beech St

▶ **LOCATION:** East side of Beech St., south of Lenland Ave.

▶ **APPX. SIZE OF TRACT:** 6.3 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Beech St., a local street with 26' of pavement within 40' right-of-way. A 5' wide sidewalk is located on the same side of the street as the subject property.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Baker Creek

▶ **ZONING:** R-2 (General Residential)

▶ **EXISTING LAND USE:** Vacant structure

▶ **PROPOSED USE:** Senior Residential Community (independent living, assisted living, adult day care, and clinic)

HISTORY OF ZONING: None

SURROUNDING LAND USE AND ZONING: North: Baker Creek, Vacant land, and Detached dwellings / R-2 (General Residential District)

South: Detached dwellings / R-2 (General Residential District)

East: Detached dwellings / R-2 (General Residential District)

West: Beech St. and Detached dwellings / R-2 (General Residential District)

NEIGHBORHOOD CONTEXT: The proposed senior residential community will be located in the former Giffin School in the South Haven neighborhood. The surrounding uses are predominately detached houses. Baker Creek is located along the north property boundary and a tributary to Baker Creek is along the east property line. Mary James Park is located to the southeast of the site.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for a 35,000 sq'ft senior living community, as presented in the development plan and site plan, subject to 9 conditions.

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.
5. Meeting all applicable requirements of the Knoxville Fire Marshall's Office.
6. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Sign Enforcement Inspector.
7. Provide a continuous landscape screen and/or fencing between the driveway and the adjoining properties to the south and southeast, subject to approval by the Planning Commission staff.
8. Submit a revised site plan subject to approval by the Planning Commission staff showing all required and proposed site improvements, including retaining walls and landscaping.
9. Install all required landscaping within six months of the issuance of occupancy permit for this project.

With the conditions noted above, this request meets the requirements for approval of a senior living community, as presented, in the R-2 zoning district and the other criteria for approval of a use on review.

COMMENTS:

The site in question is the former Giffin Elementary School property located on Beech St. in the South Haven neighborhood. The applicant is requesting approval of a use on review to permit conversion of the old school building to a senior living community that includes 9 independent living units, 50 assisted living units (including memory care), adult day care, and a clinic. There are 53 parking spaces provided.

The building is not in use and is deteriorating. In an effort to save the building, Knox Heritage purchased the property from Knox County in 2015 with the intent of finding a developer to rehabilitate the structure. The purchase agreement includes a preservation and conservation agreement in the deed. The agreement requires that the property and structure be preserved, rehabilitated, restored, and reconstructed in accordance with the standards approved by the U.S. Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. The proposed use will have very little impact on the surrounding residential area.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. The proposal will have no impact on schools.
2. Public water and sewer utilities are available to serve the development.
3. Deterioration of the existing structures will be halted which will result in improved neighborhood appearance.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed senior living facility is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
2. The proposal meets all relevant requirements of the R-2 zoning district, as well as other criteria for approval of a use-on-review.

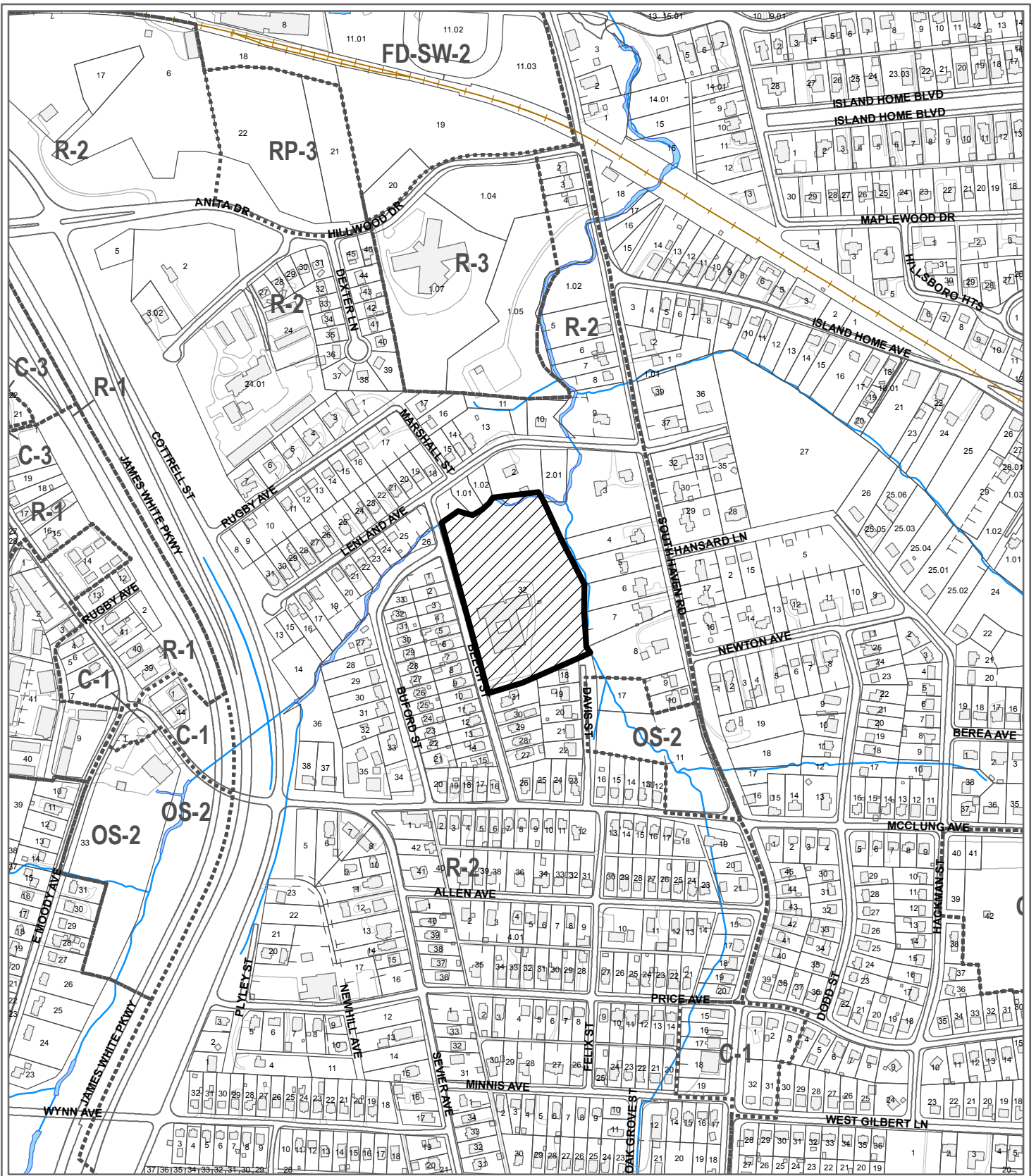
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the Sector Plan and One Year plan for the area which proposes LDR (Low Density Residential).

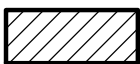
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**1-H-16-UR
USE ON REVIEW**



Senior Residential Community (assisted living) in R-2 (General Residential)

Petitioner: Giffin Senior Community Partners LLC, David Cockrill

Map No: 109

Jurisdiction: City



Original Print Date: 12/29/2015
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

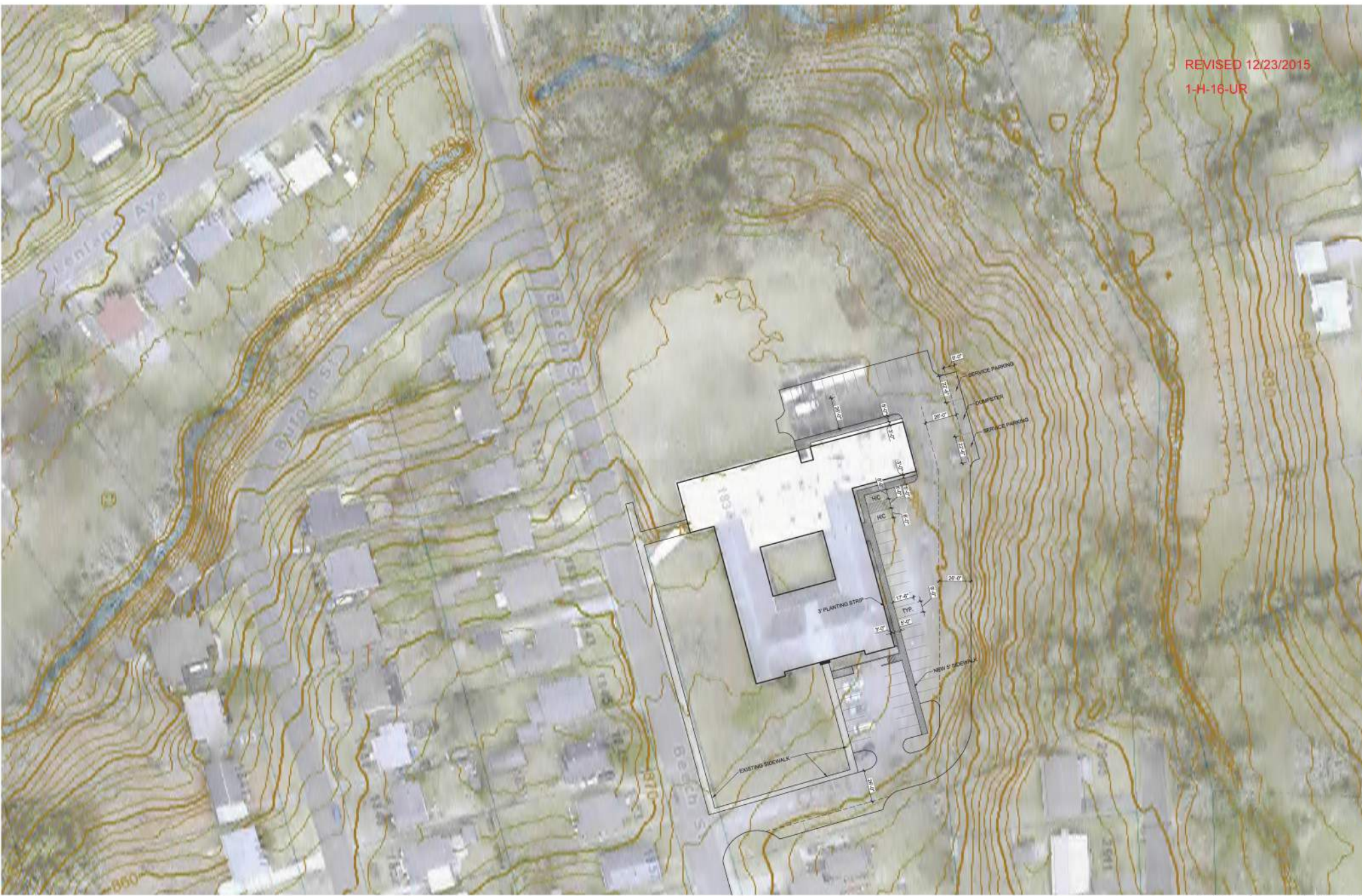
REVISED 12/23/2015
1-H-16-UR



giffin community site plan - option a | scale 1/32" = 1'-0"

redChair:architects

REVISED 12/23/2015
1-H-16-UR



giffin community site plan - option a | scale 1/32" = 1'-0"

redChair:architects



existing elevations

2015 november 30

redChair:architects

Metropolitan Planning Commission: Use on Review Nov. 30, 2015

Giffin Elementary – Concept Development Plan

1. Proposed Use

Giffin Senior Community will provide well-appointed housing units for clients 55 years of age and older. It will also provide adult day care services for seniors. A primary care clinic will be located on the ground level. The development will provide a fully integrated program at the most affordable price possible on a monthly basis (without prohibitively expensive “buy ins”), designed to be well within the reach of most middle income seniors.

Facilities will include:

- Independent Living Units
- Assisted Living Units including Memory Units
- Adult Day Care
- Primary Care Clinic
- Food Service: Kitchen and Dining
- Commons / Activity Area
- Administration
- Outdoor Rooms

Services will include:

- 24/7 licensed nursing staff on site, supervised by a RN director of nursing and medical director
- Three nutritious meals and snacks under a diet approved by a dietician and our medical director
- Assistance with activities of daily living for Assisted Living residents and Memory Unit residents
- Program of activities, exercise and wellness, on-site medical visits.
- Laundry service
- Housekeeping service
- Local transportation for residents and pick up for adult day care clients
- Utilities
- Internet and basic cable
- Unit maintenance, repairs and upgrades

Our intent is to maximize function and prevent hospitalization requiring higher levels of care. This is best accomplished by physicians, nurses, therapists, dieticians, personal care aides, other staff and families all working together to increase social interactions as well as activity throughout our community. Careful planning has begun in the early design phase with the architect and medical director focused together on ways to design units, buildings and grounds that accomplish our core goals of innovation, security, vibrancy and engagement. This collaboration so early in the planning stage of an entire senior community is a unique situation.

We plan a beautiful physical plant that combines the best of the historic and the modern while at an affordable price. Our pricing will be on a lease basis without a hefty buy in fee. It will be all inclusive without excessive add-ons and will be below the community average for the size and quality of our units.

2. Topography

We have included original 1926 spot elevations that pre-date construction as well as topographic information available from KGIS. A complete survey will be performed to facilitate detailed site design.

3. Off-street parking / loading plan

Illustrated on site concept development plan:

- Assisted Living – 50 units ÷ 4 = 12.5 spaces
- Independent Living – 9 units = 9 spaces
- Adult Day Care drop off/ pick up spaces 2 spaces
- Clinic – 3 spaces per doctor = 3 spaces
- Residential Staff = 15 spaces
- Clinic Staff – 2 spaces per 3 employees = 4 spaces
- 1 space per doctor = 1 spaces
- Adult Day Care Staff – 2 spaces per 3 employees = 4 spaces
- Total Spaces Required 49 spaces

4. Circulation Diagram

As illustrated on site concept development plan, the project will utilize the single existing curb cut and drive with improvements to bring it into good repair. The parking area will provide a complete "loop" vehicular circulation.

5. Landscape Plan

As illustrated on site concept development plan, we are preserving existing healthy plant material and trees to the greatest degree possible. The site, as is, provides for a park-like setting for our new residential senior community. We will augment existing landscaping with an evergreen screen along the south edge of the existing drive adjacent to a residential property. Existing landscaping and lawn areas will be enhanced and maintained in good condition. Planting beds for ground cover, shrubbery and flowering plants are indicated on the plan. A water feature will be incorporated at the patio adjacent to the Dining Area.

6. Building footprint / floor plan

Illustrated on Site Concept Development Plan

7. Architectural Elevations

As-built architectural elevations are included. Owners will rehabilitate the exterior building shell per the Secretary of the Interior's Standards for the Treatment of Historic Properties and as established by Instrument No. 201505220063596 in the Knox County Register of Deeds Office.

8. Proposed signage

Project signage will be located as compliant with the Knoxville Zoning Ordinance. Two 16 sq. ft. signs are allowed 10'-0" from street R.O.W. Owner will apply for a City of Knoxville Sign Permit as design progresses and the name of the development is confirmed.

9. Building Setbacks

Illustrated on Site Concept Development Plan

10. Preliminary Drainage Plans

Existing storm drainage will not be significantly altered for the project. The footprint of the building will not be expanded in this project. Storm drainage infrastructure will be brought into good working condition and improvements implemented to comply with City Engineering Department's requirements.

11. Mail Facility Plan

U.S. Mail will be delivered to a location inside the renovated facility and distributed to residents and staff by facility personnel. No exterior mail boxes will be provided for this project.

12. Amenities Plan

Amenities may include passive elements such as gardens (possibly raised gardens for use by residents), walking trail, benches / site seating, limited pavilion for outdoor activities of residents, fountain / decorative pool, site art / sculpture, activities lawn. No large scale amenities for sports / recreation, athletic fields / courts, swimming pools, sports lighting, bleachers / grandstands, outdoor events, etc. are planned for this project.

13. Garbage Dumpster location

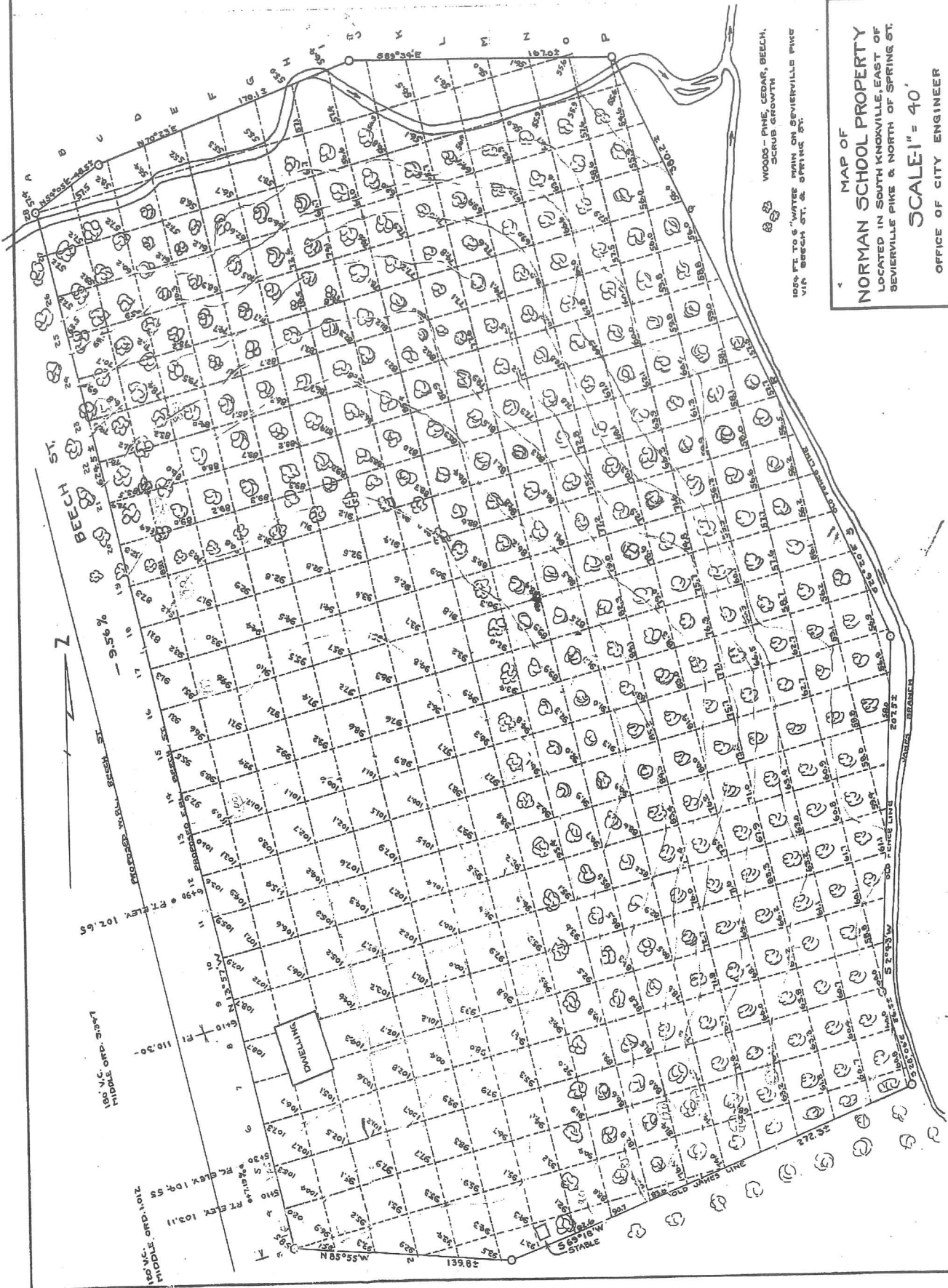
Illustrated on Site Concept Development Plan

14. Traffic Impact Study

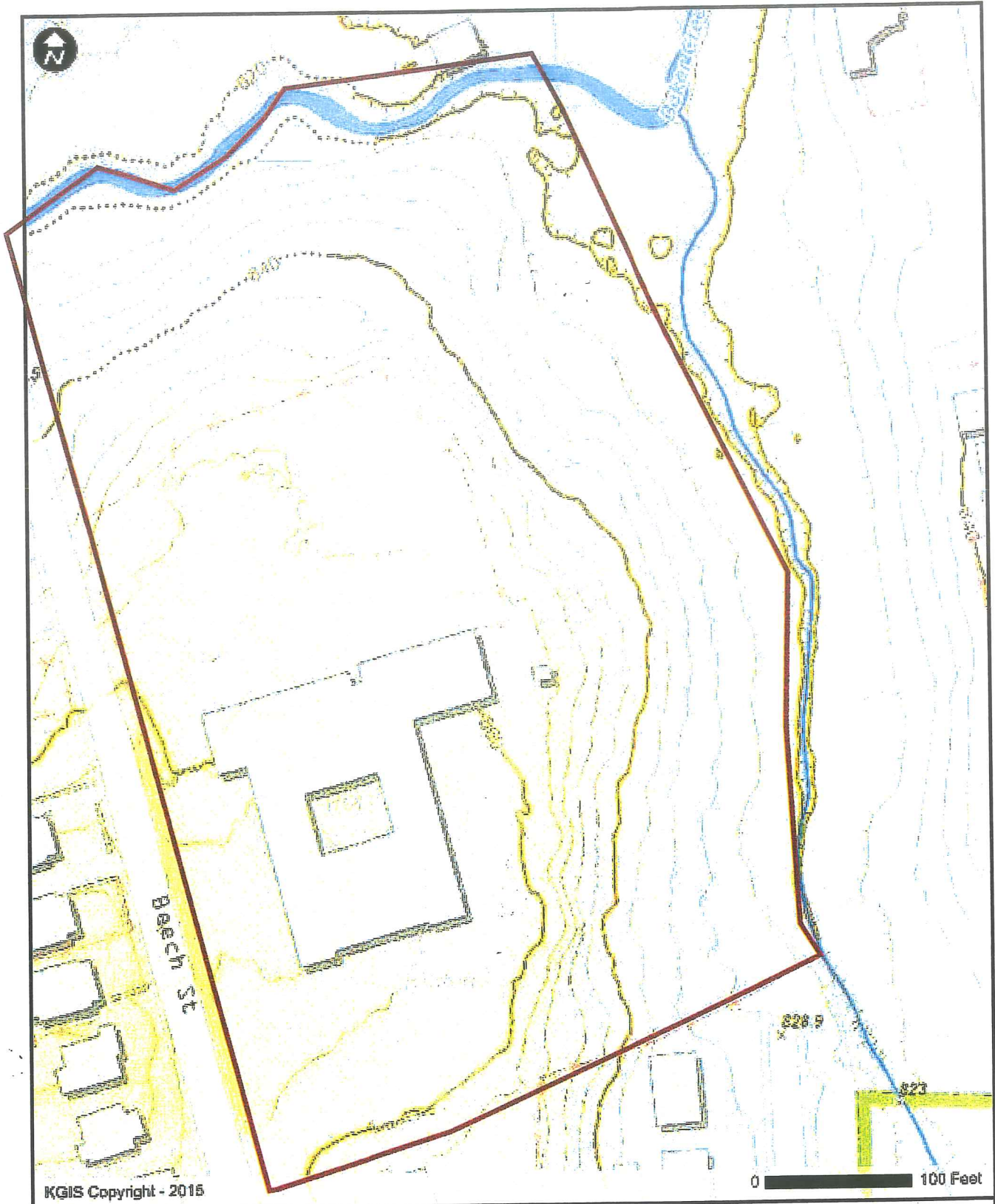
The project will generate fewer than 750 Average Daily Trips and does not require a Traffic Impact Study.

Attachments:

- Site Concept Development Plan
- Dec. 18, 1926 Office of City Engineer Map of Norman School Property (w / topography)
- KGIS Topo
- KGIS Aerial
- As-Built Architectural Elevations



MAP OF
NORMAN SCHOOL PROPERTY
 LOCATED IN SOUTH KNOXVILLE, EAST OF
 SEVIERVILLE PIKE & NORTH OF SPRING ST.
 SCALE: 1" = 40'
 OFFICE OF CITY ENGINEER
 KNOXVILLE, TENN.
 DEC. 18, 1926



Giffin School
Topo

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - www.kgis.org

Printed: 3/30/2015 at 11:22 AM

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



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0 100 Feet

Giffin School

Aerialo

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Printed: 3/30/2015 at 11:23 AM

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Sherry Witt
Register of Deeds
Knox County

109CD032

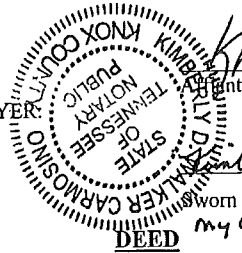
This instrument prepared by:
Knox County Law Director's Office
400 Main St., Ste. 612
Knoxville, Tennessee 37902

I certify that \$1,000.⁰⁰ is
the consideration for this transfer, or the value of
the property, whichever is greater.

COUNTERSIGNED
KNOX COUNTY PROPERTY ASSESSOR

CLT NUMBER
109CD032

OWNER/RESPONSIBLE TAXPAYER:
Knox Heritage, Inc.
P.O. Box 1242
Knoxville, Tennessee 37901



Sherry Witt
Notary Public
sworn and subscribed before me a Notary Public
My Commission Expires: 7/1/18

MAY 22 2015

BY *Phil Ballard*
PHIL BALLARD

DEED
WITHOUT WARRANTIES OF TITLE
WITH PRESERVATION AND CONSERVATION AGREEMENT

This indenture is made and entered into by and between, KNOX COUNTY, TENNESSEE, a county government created and existing under the constitution and laws of the State of Tennessee (hereinafter "Grantor") and KNOX HERITAGE, INC., a Tennessee non-profit corporation (hereinafter "Grantee").

WHEREAS, Grantor and Grantee have identified the former school building known as Giffin Elementary School (the "Structure") that is located on the real property described in this Quitclaim Deed (the "Property") has certain significant architectural, archeological, artistic, cultural or historical associations, which are collectively described in Exhibit A attached hereto and incorporated herein by reference (the "Conservation Values"); and

WHEREAS, Grantee is a Tennessee non-profit corporation under Section 501(c)(3) of the Internal Revenue Code as amended whose purposes include the preservation or conservation of real properties of architectural, archaeological, artistic, cultural, historical, natural, and scenic significance; and

WHEREAS, Grantor wishes to convey to Grantee, and Grantee desires to accept, the Property subject to such covenants, terms, conditions, and agreements set forth herein that will promote and secure the preservation of the Conservation Values pursuant to Tenn. Code Ann. §12-2-501; and

WHEREAS, the Grantee agrees that it shall only dispose of or use the Property subject to the covenants, terms, conditions, and agreements set forth herein that will promote and secure the preservation of the Conservation Values; and

WHEREAS, the administration and enforcement of the covenants, terms, conditions, and agreements set forth herein will assist in preserving the Conservation Values.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00), the mutual covenants, conditions and restrictions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby bargains, sells, grants and does hereby convey unto Grantee, its successors and assigns, Grantor's entire right, title, and interest in and to certain real property in Knox County, Tennessee, described as follows:

LEGAL DESCRIPTION

SITUATED in District No. 9 of Knox County, Tennessee, and in the 26th Ward of the City of Knoxville, Tennessee. Beginning at a stake in the eastern line of Beech Street 460 feet north 17 deg. 10' west from the intersection of the eastern line of Beech Street and the northern line of McClung Avenue; thence south 89 deg. 47' east 140 feet to a point in an old fence line; thence with the same north 68 deg. 36' east 297 feet to a point on the east side of the Spring branch at James line; thence with the same north 20 deg. 30 minutes west 32 feet to a point, north 2 deg. 30' east 194 feet to a point, continuing with James line and crossing the branch north 26 deg. 30' west 380 feet to a point; thence due west 171 feet to a point; thence south 68 deg. 30' west 216 feet to a point; thence south 44 deg. west 30 feet to the eastern line of Beech Street; thence with the eastern line of same south 17 deg. 10' east 610 feet to the point of beginning. Containing 6.2 acres more or less. See Map B-1140Y. This property is known as the Giffin School Property.

1
Knox County Page: 1 of 5
REC'D FOR REC 05/22/2015 10:38:51AM
RECORD FEE: \$28.00
M. TAX: \$0.00 T. TAX: \$3.70
...201505220063596...

TOGETHER WITH, but without warranty, all right, title and interest of Grantor in and to any streets, alleyways, walkways, roadways, appurtenant easements for access and/or utilities and any strips or gores of land adjacent to, abutting or adjoining the property conveyed hereby on all sides thereof.

BEING part of the same property conveyed to Knox County from the City of Knoxville by quit claim deed dated July 17, 1990, of record in the office of the Knox County Register of Deeds in Warranty Book 2114, page 887 (recorded August 16, 1993).

PRESERVATION AND CONSERVATION AGREEMENT

IN FURTHER CONSIDERATION for the Property herein conveyed, the Grantee hereby agrees and covenants on behalf of itself and its successors and assigns that the Property shall be burdened by the following restrictions in perpetuity:

1. Grantee will use reasonable efforts to preserve and conserve the Structure, the Property, and the Conservation Values and will not demolish the Structure or any material component thereof in such a manner as to materially reduce the Conservation Values without the prior written consent of the Grantor.
2. The Property and the Structure shall be preserved, rehabilitated, restored, and reconstructed in accordance with the standards approved by the U.S. Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.
3. Grantee shall only dispose of or use the Structure and the Property subject to the covenants and other legally binding restrictions set forth herein; provided that Grantee or its successors in interest may impose additional covenants or other legally binding restrictions that will promote the preservation or conservation of the Property, and, where appropriate, secure rights of public access.
4. If Grantor determines that Grantee has failed to comply with any one of the foregoing covenants or restrictions, Grantor shall give written notice to Grantee specifying such failure. Grantee shall have thirty (30) days after receipt of such written notice within which to cure the failure. If the failure is not reasonably capable of cure within such thirty (30) day period, Grantee may give written notice to Grantor of the actions being taken by Grantee to cure the default and the time period reasonably necessary to complete such actions, in which event the cure period shall be extended for such reasonable amount of time as may be necessary to complete the cure, provided Grantee must promptly commence and diligently pursue the necessary actions to complete the cure. If Grantee fails to cure any such failure after any applicable notice and the expiration of any applicable cure period, Grantor may file an injunction or seek other available remedies to prevent such violation.

The agreements, covenants, and restrictions contained herein shall run with the land and be binding upon and applicable to the Grantee as long as it is the owner of the Property and upon its successors and assigns as long as such successor or assign is the owner of the Property.

Grantee, by its acceptance of this Quitclaim Deed, agrees to be bound by and comply with the terms and conditions set forth in this Preservation and Conservation Agreement.

The Property hereby conveyed is subject to such limitations, restrictions and encumbrances of record as may affect the premises.

The Knox County Commission approved this transfer by Resolution R-15-3-801 on March 23, 2015.

Neither the preparer of this deed nor Knox County conducted a title search or examination in connection with this instrument; therefore, neither the preparer nor the Grantor make any warranty of title. The preparer expresses no opinion as to the title the Grantee will receive. The preparer of this deed makes no representation as to the status of title, property use, zoning regulations, or any matter except the validity of the form of this instrument.

IN WITNESS WHEREOF, Knox County, Tennessee, and Knox Heritage, Inc. have caused their corporate names to be signed by their duly authorized representatives on the dates indicated below.

Signatures and notary acknowledgments appear on following page.



KNOX COUNTY, TENNESSEE

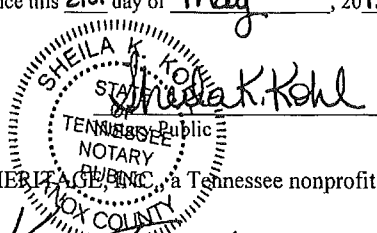
By: *[Signature]*
TIM BURCHETT
Knox County Mayor

STATE OF TENNESSEE)
COUNTY OF KNOX)

Personally appeared before me, the undersigned Notary Public in and for said County and State, TIM BURCHETT, with whom I am personally acquainted, and upon oath, acknowledged himself to be the Mayor of Knox County, Tennessee, and that he as Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at office this 21st day of May, 2015.

*My Commission Expires
5 Feb 2017*



[Signature]
KNOX HERITAGE, INC., a Tennessee nonprofit corporation

By: *[Signature]*
Kim Trent
Executive Director

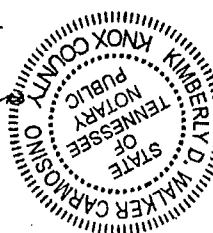
By: *[Signature]*
Rick Blackburn
President

STATE OF TENNESSEE
COUNTY OF KNOX

Before me, the undersigned Notary Public of the state and county aforesaid, personally appeared Kim Trent, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Executive Director of KNOX HERITAGE, INC., the within-named bargainer, a nonprofit corporation, and that she, as the Executive Director, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by herself as the Executive Director.

Witness my hand and seal, this 21st day of May, 2015.

[Signature]
NOTARY PUBLIC

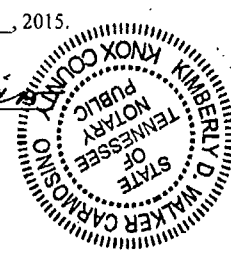


STATE OF TENNESSEE
COUNTY OF KNOX

Before me, the undersigned Notary Public of the state and county aforesaid, personally appeared Rick Blackburn, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the President of KNOX HERITAGE, INC., the within-named bargainer, a nonprofit corporation, and that he, as the President, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as the President.

Witness my hand and seal, this 21st day of May, 2015.

[Signature]
NOTARY PUBLIC



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201505220063596

EXHIBIT A - DESCRIPTION OF CONSERVATION VALUES

The former school building known as Giffin Elementary School, being located at 1834 Beech Street, Knoxville, Knox County, Tennessee, has the following significant architectural, archeological, artistic, cultural and historical associations:

The Giffin Elementary School ("Structure") was built on land the City of Knoxville acquired in the 1925. The original school building was designed by Barber and McMurry Architects, and Rutherford and Painter Architects designed the 1950 addition (a rectangular two-level addition whose construction created a center courtyard). The 1950 expansion was likely one of architect Bruce McCarty's first projects after graduating from school and returning to Knoxville. Bruce McCarty, FAIA, was known for his legacy of modern architecture in Knoxville, reflected in the modern lines of the school's mid-twentieth century addition.

The significant exterior architectural features of the Structure include:

- Colonial revival broken scroll wood pediment and wood side pilasters (surround) at south door of the original building segments (*noted in Illustration I, note a*)
- Wood windows in the original building segments with limestone sills (*typical noted in Illustration I, note b*); including opening heights and widths
- Arched false windows and round gable vents on south side of the original building segments (*typical noted in Illustration I, note c*)
- Limestone corner quoins on the original building (*typical noted in Illustration I, note d*)
- Replacement of original cupola is desired if located and in good condition (*original location noted in Illustration I, note e and inset photo*)
- Brick veneer on all exterior walls
- Metal windows in 1950 building segment; including opening heights and widths
- Existing pitched roof on the original building segments and existing flat roof on 1950 addition building segment
- Basic existing building footprint to remain (*noted in Illustration II*); though new additions may be considered

The significant interior architectural features of the Structure include:

- Glazed ceramic wall tile in 1950 building segment (hallways, gymnasium/auditorium, cafeteria)
- Primary interior corridor locations (hallways)
- "Giffin School Addition" marble wall plaque denoting the 1950 building segment
- Hallway corridor transom window openings

All additions and alterations of the Structure must adhere to the U.S. Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.

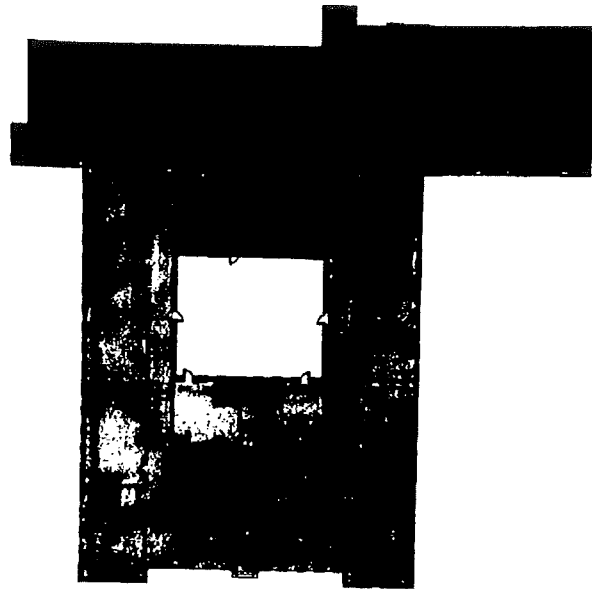
Illustrations I and II appear on the following page.



Illustration I



Illustration II



- ORIGINAL BUILDING | 1928
- FIRST ADDITION | 1950

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